

REMARKS

1. In response to the Office Action mailed August 3, 2006, Applicants respectfully request reconsideration. Claims 1-7, 10-14, 16-24 and 26 were last presented for examination. Claims 19-22 were rejected and claims 1-7, 10-14, 16-18, 23, 24 and 26 were allowed in the outstanding Office Action. By the foregoing Amendments, claims 19 and 22 have been amended. No claims have been canceled or added. Thus, upon entry of this paper, claims 1-7, 10-14 and 16-24, and 26 will remain pending in this application. Of these twenty-two (22) claims, four (4) claims (claims 1, 14, 19 and 23) are independent. Based on the above Amendments and following Remarks, Applicants respectfully request that the outstanding objections and rejections be reconsidered, and that they be withdrawn.

Art of Record

2. Applicants acknowledge receipt of the form PTO/SB/08A filed by Applicants on May 30, 2006, which has been initialed by the Examiner indicating consideration of the references cited therein.

Allowable Subject Matter

3. Applicants note with appreciation the Examiner's indication that claims 1-7, 10-14, 16-22 and 25-26 are allowable. .

Examiner Interviews

4. Applicants thank the Examiner for the courtesies extended in the telephonic interviews conducted on October 21, 2006. A summary of the interviews is included in the following Remarks.

Claim Rejections

5. Independent claim 19 and dependent claims 20-22 have been rejected under 35 U.S.C §101 because the methods recited in the claimed invention do not produce a real life, real world, useful, concrete, and tangible result. Applicants respectfully traverse these rejections.

6. Independent claim 19 recites “[a] method for voltage margin testing of one or more components of an electronic system, having an internal Baseboard Management Controller (BMC) that implements an Intelligent Platform Management Interface (IPMI) protocol and a digital voltage adjuster, the digital voltage adjuster in communication with said BMC and with at least a power rail supplying voltage to said components, comprising: the BMC transmitting one or more commands to said voltage adjuster to cause the adjuster to affect generation of one or more test voltages at said power rail; and monitoring said electronic system to determine a response to each of said test voltages.” (See, Applicants’ claim 19, above.)

7. The invention recited in independent claim 19 produces a real life, real world, useful, concrete, and tangible result: receipt of information to determine the electronic system’s response to the application of test voltages. In fact, every element of claim 19 recites a tangible, practical feature of the claimed invention. In the first step, the BMC transmits command(s) to a voltage adjuster which, as recited in the preamble, is in communication with the BMC and (at least) a power rail supplying voltage to components of the electronic system. The command(s) are such that it/they cause the adjuster to affect generation of one or more test voltages at said power rail. Similary, the second element is a method step in which the electronic system is monitored to determine the response of the electronic system to the test voltage(s) applied in the first step of the claimed invention. All of these elements, and the claim as a whole, meet the requirements of Section 101.

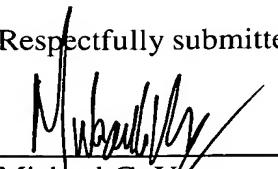
8. Applicants speculate that perhaps the application to claim 19 of the language of Section 101 regarding the “tangible result” lead the Examiner to conclude that the claimed monitoring circuit would fail to satisfy that language since it “monitoring” rather than producing a value. This would be incorrect. The noted language of Section 101 sanctions the recitation of values that fail to represent something that is tangible. In contrast, all nouns and verbs recited in claim 19 refer to something that is tangible. Furthermore, if it is the recited monitoring that the Examiner finds troubling, that would raise the question of whether all sensing, observational, monitoring and similar claimed subject matter is barred from protection. That is surely not the case.

9. For at least the above reasons, Applicants respectfully assert that the rejection of claim 19, and the claims that depend therefrom, under Section 101 are improper and should be withdrawn.

Conclusion

10. In view of the foregoing, this application should be in condition for allowance. A notice to this effect is respectfully requested.

Respectfully submitted,


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